



TUSAYAN TOWN COUNCIL REGULAR MEETING

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Tuesday, September 30, 2014 at 7:00pm

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Tusayan Town Council and to the general public that the Tusayan Town Council will hold a meeting open to the public on Tuesday, September 30, 2014 at the Tusayan Town Hall Building. If authorized by a majority vote of the Tusayan Town Council, an executive session may be held immediately after the vote and will not be open to the public. The Council may vote to go into executive session pursuant to A.R.S. § 38-431.03.A.3 for legal advice concerning any matter on the agenda, including those items set forth in the consent and regular agenda sections. The Town Council may change, in its discussion, the order in which any agenda items are discussed during the course of the meeting.

Persons with a disability may request a reasonable accommodation by contacting the Town Manager at (928) 638-9909 as soon as possible.

As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound device, we ask that you silence it at this time to minimize disruption of today's meeting.

TOWN COUNCIL REGULAR MEETING AGENDA

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ROLL CALL

**MAYOR GREG BRYAN
VICE MAYOR AL MONTOYA**

**COUNCILMEMBER BILL FITZGERALD
COUNCILMEMBER JOHN RUETER
COUNCILMEMBER CRAIG SANDERSON**

❖ *One or two Council Members may attend by telephone*

3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Members of the public may address the Council on items not on the printed agenda. The Council may not discuss, consider or act upon any matter raised during public comment. Comments will be limited to three minutes per person.

Members of the audience who wish to speak to the Council on an item listed as Public Hearing should complete a Request to Speak Card and turn it into the Town Clerk. Speakers will be limited to three minutes each.

4. CEREMONIAL AND/OR INFORMATIONAL MATTERS

None

5. CONSENT AGENDA

Items on the consent agenda are routine in nature and will be acted on with one motion and one vote. Members of the council or staff may ask the mayor to remove any item from the consent agenda to be discussed and acted upon separately.

- A. Minutes of the Town Council Special Meeting on 9/11/14 and Regular Meeting on 9/17/14
- B. Accounts Payable Billings
- 6. COMMITTEE REPORTS
 - A. Update on the Sports Complex Committee
 - B. Update on the Planning and Zoning Commission
- 7. ACTION ITEMS
 - A. Consideration, discussion, and possible approval of disbursal of unused budgeted funds (\$49,773.04) from Fiscal Year 2013-2014 to the Tusayan Fire District
 - B. Consideration, discussion, and possible approval of an administrative change to Resolution No. 2014-07 removing "pursuant to A.R.S. § 9-821.01" and replacing it with "pursuant to Arizona House Bill 2126, 51st Legislature, 2nd Regular Session, 2014"
- 8. DISCUSSION ITEMS
 - None
- 9. TOWN MANAGER'S REPORT
- 10. FUTURE AGENDA ITEMS
- 11. COUNCIL MEMBERS' REPORTS
- 12. MAYOR'S REPORT
- 13. MOTION TO ADJOURN

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the General Store in Tusayan, Arizona on this 25th day of September, 2014, at 11:10 pm in accordance with the statement filed by the Tusayan Town Council.



Signature of person posting the agenda

ITEM NO. 5A

TUSAYAN TOWN COUNCIL SPECIAL MEETING

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Thursday, September 11, 2014 at 9:00am

TUSAYAN TOWN HALL

845 Mustang Drive, Tusayan Arizona

TOWN COUNCIL SUMMARIZED MINUTES

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Bryan called the meeting to order at 9:00am and the Pledge of Allegiance was recited.

2. ROLL CALL

Upon roll call, the following were present:

MAYOR GREG BRYAN
VICE MAYOR AL MONTOYA
COUNCILMEMBER BILL FITZGERALD
COUNCILMEMBER JOHN RUETER - excused
COUNCILMEMBER SANDERSON

Also Present:

Will Wright, Town Manager
Melissa Drake, Town Clerk

3. ACTION ITEMS

Consideration, discussion, and possible approval of Resolution No. 2014-07: A resolution of the Mayor and Council of the Town of Tusayan, Coconino County, Arizona, declaring and adopting the results of the Primary Election held on August 26, 2014

Councilmember Sanderson made a motion to approve Resolution No. 2014-07. The motion was seconded by Councilmember Fitzgerald and passed on unanimous vote.

4. MOTION TO ADJOURN

Vice Mayor Montoya made a motion to adjourn the meeting at 9:02am. The motion was seconded by Councilmember Sanderson and passed on unanimous vote.

Greg Bryan, Mayor

ATTEST:

Melissa M. Drake, Town Clerk

CERTIFICATION

State of Arizona)
) ss.
Coconino County)

I, Melissa Drake, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Council of the Town of Tusayan held on September 11, 2014. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 11th day of September, 2014

Melissa M. Drake, Town Clerk

TUSAYAN TOWN COUNCIL REGULAR MEETING

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Wednesday, September 17, 2014 at 6:00pm

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

TOWN COUNCIL SUMMARIZED MINUTES

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Bryan called the meeting to order at 6:04pm and the Pledge of Allegiance was recited.

2. ROLL CALL

MAYOR GREG BRYAN

VICE MAYOR AL MONTOYA

COUNCILMEMBER BILL FITZGERALD - via phone

COUNCILMEMBER JOHN RUETER

COUNCILMEMBER CRAIG SANDERSON

Also present were:

Will Wright, Town Manager

Melissa M. Drake, Town Clerk

3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA

None

4. CEREMONIAL AND/OR INFORMATIONAL MATTERS

Presentation of certificate of appreciation to Sandra Angat for her service as Planning and Zoning Commissioner

Mayor Bryan thanked Ms. Angat for her service to the Town and presented her with a certificate of appreciation.

5. CONSENT AGENDA

A. Minutes of the Town Council Regular Meeting on 9/3/14

B. Accounts Payable Billings

Councilmember Rueter made a motion to approve the Consent Agenda. Vice Mayor Montoya seconded the motion. Mayor Bryan recused himself on an item of repayment to himself. The motion passed on unanimous vote.

6. COMMITTEE REPORTS

A. Update from the Sports Complex Committee

Mayor Bryan stated that it was expressed to him at the last school board meeting that the park master plan had not gone through a public vetting process. Mayor

Bryan asked Manager Wright to hold a meeting requesting input from the public on the master plan.

Manager Wright stated that a meeting will be held with ADOT regarding the water and sewer easement for the park. Mayor Bryan asked Manager Wright to put a hold on all engineering work on the park (except on the utility easement) until a public input meeting is held.

B. Update from the Planning and Zoning Commission

Manager Wright stated that the Commission meet on 9/10/14 and John Schoppmann was sworn in and elected Chair of the Commission. A new master plan for the Best Western Grand Canyon Squire Inn was approved.

7. ACTION ITEMS

A. Consideration, discussion, and possible approval of entering into a service agreement with CommNet for internet connectivity for Town Hall

Councilmember Rueter stated that the Town has been offered greater bandwidth for internet connectivity, a dedicated 5MB for \$225 per MB per month with a 2 year contract. He stated that even though the cost is high, it is the current rate in Town and there may not be another opportunity for 2 years. He also stated that CommNet would cover the cost of the required equipment. This additional bandwidth would allow audio streaming of Council meetings.

The Council discussed the requirements of the proposed new system.

Councilmember Rueter made a motion to approve entering into an agreement with CommNet for internet connectivity for Town Hall for \$225 per MB per month for 2 years. Vice Mayor Montoya seconded the motion and it passed on unanimous vote.

B. Consideration, discussion, and possible approval of Forest Service Cost Recovery Agreement for access to Town Housing Parcels and Kotzin Ranch

Mayor Bryan stated that this item will be tabled until September 30th or until the attorney has had sufficient time to review this on the Town's behalf.

C. Discussion, consideration and possible action to clarify that the US Forest Service application ("Application") submitted to the US Forest Service pursuant to Section 5(e) of the First Amendment to Pre-Annexation and Development Agreement ("First Amendment"), dated January 22, 2014, between the Town of Tusayan ("Town") and Stilo Development Group ("Stilo") does not include the correct alignment for the southern access to Kotzin. As a result of US Forest Service requirements, the southern access to Kotzin depicted in the Application was not consistent with the southern access to Kotzin depicted in the Pre-Annexation and Development Agreement ("Prior Agreement"), dated July 1, 2011, between the Town and Stilo. When final US Forest Service approval of the southern access to Kotzin is obtained, such approved southern access to Kotzin shall be

subject to Town Council approval at that time and shall be attached to an amended Application that is subject to Town Council approval. Also at that time, the Town Council will be asked to approve a Second Amendment to the Prior Agreement and the First Amendment in the form attached as Exhibit 1. The US Forest Service approved southern access to Kotzin shall be attached to such Second Amendment as an exhibit.

Mayor Bryan stated that the southern access in the PADA was depicted as joining the northern round-about. The National Forest Service has stated that the option is not now available so is depicted differently in the application. This item, if approved, would acknowledge the change.

Clarinda Vail spoke on behalf of Thurston and Red Feather Properties and stated their opposition to this item and the Town's application to the National Forest Service.

Former Mayor Pete Shearer spoke on behalf of the Tusayan Sanitary District and stated that the district has not been consulted on this and should be since the road location could also be the utility location.

The Council discussed the topic and the options available.

Mayor Bryan stated that the action tonight is just to recognize that there has been a change in the route between the PADA and the National Forest Access Application.

Mr. Fitzgerald stated that there should be at least 2 options on the application for the southern access route. He also stated that he was not in favor of submitting the application until a comprehensive plan was developed.

Mayor Bryan stated that part of the NEPA process will be to study and gain input on utility locations. He also stated that having only one southern access option was to simplify the process for the Forest Service. He stated that whatever comes out of the Forest Service process will still have to be approved by the Council.

Councilmember Sanderson stated that the PADA should be amended to agree with the General Plan. He stated that the northern round-about option should not be removed.

Mayor Bryan made a motion to recognize that the southern access option in the Access Application has changed from that described in the First Amendment to the PADA. Councilmember Rueter seconded the motion. Councilmember Fitzgerald stated that he is opposed to the whole process and believes that it has lacked proper planning. The motion passed with a vote of 4 to 1 with Councilmember Fitzgerald voting "No."

8. DISCUSSION ITEMS

A. Update on the aerial topographic mapping of the Town of Tusayan

Manager Wright stated that Stilo has agreed to participate in funding their portion

of the survey as requested. He also stated that the corridors discussed in the previous meeting are 200 feet and that the aerial survey was competitively bid.

B. Update on the sewer line for the community park

Manager Wright stated that he will meet with Mike Thomas on September 25th at 2pm on this topic. He also stated that he invited the Sports Complex committee members and Bob Petzholdt of the Sanitary District.

C. Update on discussions of a possible Tusayan Tourism Board

Councilmember Sanderson asked to defer this item to a later meeting.

D. Discussion of next steps on storm water issues, aerial survey costs, and costs of detention basins

Manager Wright stated that J2 Engineering is awaiting the aerial survey but will develop a cost estimate based on information from James Simino with Kaibab National Forest.

Councilmember Fitzgerald stated that he spoke with ADOT about using the dirt at the airport for this project but has gotten no definitive answer.

E. Update on crosswalk safety improvements

Manager Wright stated that ADOT has denied the Town's application for experimentation use of flag safety devices along Highway 64 in Town. They did give tentative approval for lighted signs for crosswalks but all crosswalks must be treated the same.

Vice Mayor Montoya asked if anyone had proposed removing some of the crosswalks. The answer was "no." Manager Wright stated that there is some anecdotal information that there were fewer safety issues with pedestrians prior to the additional crosswalks.

Fire Chief Robbie Evans stated that he believes the crosswalks have given people a false sense of security. He discussed actual accidents that have occurred since their installation.

Manager Wright will discuss the possibility of removing some of the crosswalks with ADOT.

F. Reports on the annual League of Arizona Cities and Towns conference held in August

Mayor Bryan tabled this discussion until a later meeting.

G. Discussion of public request to form Town Police Department

Mayor Bryan stated that he asked this item be placed on the agenda since it was requested by a citizen at the last meeting. He discussed the history of the Town's investigation into this topic. He also stated that Town Prosecutor Andy

Jolley sent a letter to the Council regarding his current concerns, specifically regarding domestic violence and response times. Mayor Bryan stated that the Coconino County Sheriff's Department does have an agreement with the National Park Service in cases where immediate response is needed.

Councilmember Rueter stated that he would like to investigate the possibility of adding Town-owned housing to use for a Sheriff's Deputy.

Coconino County Sheriff's Department Lt. Jim Coffey stated that he met with Mike Thomas today regarding housing. He stated that he does have one deputy interested in moving to Tusayan and plans to hire another specifically for Tusayan. He also stated that the relationship with the Sheriff's Department will be a topic of conversation at the Joint meeting with the Coconino County Board of Supervisors on September 30th.

H. Discussion of Town Building and Permit Fees

Manager Wright introduced the topic and the fees adopted by the Town in 2011 as well as comparison fees for other municipalities in northern Arizona.

Mayor Bryan stated that, previously, Willdan Engineering was collecting the fees but now the Town will be collecting the fees. This will be another topic on the agenda for the Joint meeting.

I. Discussion of Tusayan Fire District request for assistance

Chrystal Schoppmann with the Tusayan Fire District (TFD) spoke to the Council regarding the funding issues within TFD. She read a letter she sent to the Council and was included in the Agenda Packet. She stated that funding has been reduced by property valuation decreases over the last several years and she discussed all the additional funding opportunities TFD has pursued and continues to pursue.

She stated that calls to 911 from the Grand Canyon National Park Airport and employee housing areas on airport property are routed to TFD since the Airport Fire Department does not subscribe to the 911 service.

She requested unused allocated Town monies be provided to the TFD and a 0.25% increase in the BBB tax for permanent funding for the TFD.

The Council discussed the issue amongst themselves and with Ms. Schoppmann.

The Council requested the TFD budget for the last 3 years.

Councilmember Fitzgerald's call was lost.

9. TOWN MANAGER'S REPORT

Manager Wright stated that his report was in the packet and asked if there were any questions. He highlighted an estimate for concrete work at Town Hall and asked the Council to review it. He stated that it is less than the budgeted amount.

He also stated that an estimated CDBG schedule was included for the Council to reference.

10. FUTURE AGENDA ITEMS

- 9/30/14 after the joint meeting – TFD support with remainder of budgeted monies
- 9/30/14 after the joint meeting – Forest Service Cost Recovery Agreement
- 10/15/14 Municipal Code Workshop will be Animal Control instead of Offenses

11. COUNCIL MEMBERS' REPORTS

None

12. MAYOR'S REPORT

Mayor Bryan reported on the School Board meeting which occurred on September 9th.

13. MOTION TO ADJOURN

Councilmember Rueter made a motion to adjourn the meeting at 8:22pm. Vice Mayor Montoya seconded the motion and it passed on unanimous vote.

ATTEST:

Greg Bryan, Mayor

Date

Melissa M. Drake, Town Clerk

CERTIFICATION

State of Arizona)
) ss.
Coconino County)

I, Melissa M. Drake, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Council of the Town of Tusayan held on September 17, 2014. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 25th day of September, 2014

Town Clerk

ITEM NO. 7A

9:40 AM
09/25/14
Accrual Basis

Town of Tusayan Account QuickReport July 2013 through June 2014

Type	Date	Num	Name	Memo	Split	Amount
17 - Public Safety						
17-4435 - Fire District Subsidy						
Bill	09/11/2013	1007	General Governme...	august 13 rei...	20000 *Acco...	3,442.89
Bill	09/11/2013	1006	General Governme...	july 13 reimb...	20000 *Acco...	2,288.27
Bill	10/01/2013	1009	General Governme...	september 2...	20000 *Acco...	2,622.43
Bill	11/05/2013	1011	General Governme...	october 13	20000 *Acco...	2,625.32
Bill	12/03/2013	1013	General Governme...	november 2013	20000 *Acco...	3,824.45
Bill	01/02/2014	1017	General Governme...	december 20...	20000 *Acco...	4,981.71
Bill	02/10/2014	1019	General Governme...	january 2014	20000 *Acco...	3,831.50
Bill	03/07/2014	1024	General Governme...	feb 14 tyler kr...	20000 *Acco...	3,875.79
Bill	03/07/2014	1025	General Governme...	feb 14 chryst...	20000 *Acco...	966.20
Bill	04/03/2014	1030	General Governme...	march 14 fire...	20000 *Acco...	3,804.36
Bill	04/03/2014	1031	General Governme...	march 14 ad...	20000 *Acco...	3,058.36
Bill	05/01/2014	1033	General Governme...	april 2014 ad...	20000 *Acco...	3,362.82
Bill	05/01/2014	1034	General Governme...	april 14 firefig...	20000 *Acco...	3,961.12
Bill	06/03/2014	1036	General Governme...	fire fighter m...	20000 *Acco...	3,969.47
Bill	06/03/2014	1037	General Governme...	admin suppor...	20000 *Acco...	3,054.01
Bill	06/24/2014	1040	General Governme...	State Comp ...	20000 *Acco...	3,461.33
Bill	06/30/2014	1043	General Governme...	June Firefight...	20000 *Acco...	3,337.99
Bill	06/30/2014	1044	General Governme...	June Firefight...	20000 *Acco...	2,758.94
Total 17-4435 - Fire District Subsidy						59,226.96
Total 17 - Public Safety						59,226.96
TOTAL						59,226.96

\$ 49,773.04

Remaining
last fiscal year
or FY2013-14

This amount would
come from contingency
in this fiscal year

BUDGET \$ 109,000.00

ITEM NO. 7B

RESOLUTION NUMBER 2014-07

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF TUSAYAN, COCONINO COUNTY, ARIZONA DECLARING AND ADOPTING THE RESULTS OF THE PRIMARY ELECTION HELD ON AUGUST 26, 2014.

WHEREAS, the Town of Tusayan, Coconino County, Arizona did hold a Primary Election on the 26th day of August, 2014 for the nomination/election of three Councilmembers; and

WHEREAS, the election returns have been presented to and have been canvassed by the Town Council;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Tusayan, Coconino County, Arizona as follows:

SECTION 1. That the total number of ballots cast at said Primary Election, as shown by the Coconino County Election Summary Report, was **87**.

SECTION 2. That the votes cast for the candidates for councilmember were as follows:

Bill Fitzgerald	54	26.34%
John Rueter	46	22.44%
Craig Sanderson	44	21.46%
Rebecca Wirth	37	18.05%
Write-in Votes	24	11.71%

SECTION 3. That the votes cast for and against Proposition 401 (Alternative Expenditure Limitation) were as follows:

Yes	48	59.26%
No	33	40.74%

SECTION 4. There being 3 Council seats to be filled and 181 total votes cast for all candidates lawfully on the ballot, the number of votes required to be considered a majority of the valid votes is 31, pursuant to Arizona House Bill 2126, 51st Legislature, 2nd Regular Session, 2014. Pursuant to Tusayan Town Ordinance 2010-04-20-01, it is hereby found, determined and declared of record that the following 3 candidates did receive a majority of the valid votes cast, did receive the highest number of votes, and are hereby issued certificates of election:

Bill Fitzgerald
John Rueter
Craig Sanderson

SECTION 5. It is hereby found, determined and declared of record that Proposition 401 (Alternative Expenditure Limitation) has been approved by the majority of the voters.

SECTION 6. This Resolution shall be in full force and effect immediately upon its adoption.

PASSED AND ADOPTED BY the Mayor and Council of the Town of Tusayan, Arizona, this 11th day of September, 2014.

Greg Bryan, Mayor

ATTEST:

Melissa M. Drake, Town Clerk

APPROVED AS TO FORM:

William J. Sims, Town Attorney